

Sign Ordinance

CHARTER TOWNSHIP OF CLINTON

THE CHARTER TOWNSHIP OF CLINTON ORDAINS:

PREAMBLE

AN ORDINANCE TO REGULATE THE LOCATION, NUMBER, TYPE, SIZE AND HEIGHT OF SIGNS WITHIN THE CHARTER TOWNSHIP OF CLINTON, MACOMB COUNTY, MICHIGAN, TO REPEAL ANY OTHER ORDINANCES IN CONFLICT HERewith AND TO PROVIDE A PENALTY FOR VIOLATION HEREOF.

SECTION 100. PURPOSE

101 The provisions of this Ordinance shall regulate the location, number, type, size and height of all signs and outdoor display structures in all zoning districts as established in the official Clinton Township Planning and Zoning Code for the purpose of: reducing sign or advertising distractions and thereby reducing traffic hazards and accidents; reducing hazards which could be caused if signs were to be located in, project into or overhang any public right-of-way or being attached to utility poles; diminishing visual pollution caused by the unlimited number, type and size of signs and thereby increasing the effectiveness of signs; all so as to protect the health, safety and welfare of the public.

SECTION 200 - SHORT TITLE

201 This Ordinance shall be known and may be cited as the Clinton Township Sign Ordinance.

SECTION 300 - DEFINITIONS AND RESTRICTIONS

301 Announcement Sign. A permanent sign which provides information relevant to church services, religious activities or educational activities within a building.

- a. The maximum size of an announcement sign shall be eighty (80) square feet in display area.
- b. The maximum height of an announcement sign shall be eight (8) feet.

Awning Sign. A sign that is made of canvas, plastic or similar material, stretched over a frame and directly attached to a wall of a building. Awning signs shall not

project more than 60 inches from the wall or more than 12 inches above the roof line.

Area of Sign. The entire area within a circle, triangle, parallelogram, or other geometric configuration, enclosing the extreme limits of writing, representation, emblem, or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which the sign is placed.

302 Billboard Sign. A sign which advertises a business, activity or service not conducted on the premises upon which the sign is placed.

- a. The maximum size of a billboard sign shall be three hundred (300) square feet in display area.
- b. The maximum height of a billboard sign shall be fifty (50) feet.
- c. A billboard sign shall be permitted on land located within the I-2 General Industrial district when such districts abut an interstate highway.
- d. A billboard sign shall not be located closer than one thousand (1,000) feet to any other billboard sign.

303 Business Sign. An accessory sign related to the business, activity or service conducted on the premises upon which the sign is placed.

- a. A business sign may be a lawn sign, pylon sign or wall sign.

(1) Lawn Sign. A free-standing sign supported by uprights, braces or some object on the ground and which is not attached to a building or structure.

(a) The maximum size of a lawn sign shall be one-hundred (100) square feet in display area for parcels abutting a road with a right-of-way width of 120 or less, and shall be one-hundred twenty (120) square feet in display area for parcels abutting a road with a right-of-way width greater than 120 feet.

(b) The maximum height of a lawn sign shall be eight (8) feet.

(c) A lawn sign shall not be located

closer than fifteen (15) feet to any ingress/egress.

(2) Pylon Sign. A type of pole sign.

(a) The maximum size of a pylon sign shall be eighty (80) square feet in display area for parcels abutting a road with a right-of-way width of 120 feet or less, and shall be 100 square feet in display area for parcels abutting a road with a right-of-way width greater than 120 feet.

(b) The maximum height of a pylon sign shall be fifteen (15) feet for parcels abutting a road with a right-of-way width of 120 feet or less, and shall be eighteen (18) feet in height for a parcel abutting a road with a right-of-way width greater than 120 feet.

(c) A pylon sign shall have minimum clearance of six (6) feet from the bottom of the face of the sign to grade level.

(d) A pylon sign shall be located not closer than fifty (50) feet to a residentially zoned district.

(e) A pylon sign shall not be located closer than fifteen (15) feet to any ingress/egress.

(3) Wall Sign. A sign fastened to or painted on the wall area of a building, structure or canopy with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

(a) The maximum size allowed for a wall sign, awning sign or combination of the two, shall be determined by multiplying two (2) square feet by the lineal frontage of the building, or legally occupied tenant space, but shall not exceed 200 square feet. An additional wall sign, utilizing the above computations, shall be allowed for any

business occupying a unit with the exterior building walls fronting two major or secondary thoroughfares.

(b) A wall sign shall not extend more than twelve (12) inches beyond the surface of the building or structure wall on which it is placed.

(c) A wall sign shall not extend more than twelve (12) inches above the highest point used to measure the height of the building or structure.

b. Any freestanding business which occupies its own separate parcel of land within the B-1, B-2 or B-3 zoned districts shall be permitted one (1) lawn or one (1) pylon sign, and one (1) wall sign.

(1) One (1) additional wall sign shall be permitted if the land abuts two major or secondary thoroughfares.

c. Any parcel of land occupied by two (2) or more businesses in the B-1, B-2 or B-3 zoned districts shall be regulated as follows:

(1) One (1) lawn or one (1) pylon sign advertising the entire development shall be permitted.

(2) One (1) additional lawn or one (1) additional pylon sign advertising the entire development shall be permitted when such development abuts two major or secondary thoroughfares.

(3) Each business within the development shall be permitted one (1) wall sign.

(4) One (1) additional wall sign shall be permitted for a business occupying a unit with exterior building walls fronting two major or secondary thoroughfares.

(5) Any freestanding business which occupies its own separate parcel of land within the B-1, B-2, or B-3 zoned districts shall be permitted 1 wall sign and either 1 pylon sign or 1 lawn sign. An additional wall sign, and an additional pylon sign or lawn sign shall be permitted if the parcel has 250 lineal feet or greater of frontage on two major

or secondary thoroughfares. For those parcel with frontage on only one major or secondary thoroughfare, an additional pylon sign or lawn sign shall be permitted if the parcel has a lineal street frontage of 300 feet or more.

d. Each business within a development occupying forty thousand (40,000) square feet or more shall be permitted one (1) pylon sign or one (1) lawn sign.

e. In the OS-1 and OS-2 zoned districts, one (1) lawn sign and one (1) wall sign not exceeding 40 square feet per development is permitted.

f. In the I-1, I-2 or TR zoned districts, one (1) lawn sign and one (1) wall sign per development is permitted.

304 Directional Sign. A sign providing direction within any one development.

a. Directional signs, when established by the Charter Township of Clinton, County of Macomb, State of Michigan or the government of the United States of America, as may be required for purpose of directing or orienting, are not limited in number or size.

305 Festoon Sign. A sign consisting of incandescent light bulbs, banners, pennants or other such features.

306 Flashing/Moving Sign. A sign which intermittently reflects light either from an artificial source or from the sun or has movement or illumination, such as intermittent flashing, scintillating or varying intensity, or has any visible portion in intermittent or constant motion, either from artificial or natural sources.

307 Identification Sign. A sign which displays the name and/or address or a person or firm.

a. The maximum size of an identification sign shall not exceed four (4) square feet in display area.

b. The maximum height of an identification sign shall not exceed eight (8) feet.

308 Political Sign. A sign relating to the election of a person to public office or relating to a political party or relating to a matter to be voted upon at an election called by a public body.

a. The maximum size of a political sign shall be thirty-two (32) square feet of display area in a non-residential area and

sixteen (16) square feet of display area in a residential area.

b. A candidate or the person desirous of placing political signs shall register this intent with the Township Clerk prior to the erection of any political signs by completing a form prescribed by the Township Clerk which shall include the name, address, and telephone number of the candidate or other person responsible for the placement of political signs, a description of the political signs in adequate detail so that they may reasonably be identified and an attestation that the candidate or person placing political signs has received permission from all owners of property where political signs will be placed.

c. Political signs shall not be erected or placed upon property prior to thirty (30) calendar days before an election and shall be removed within ten (10) calendar days after the election for which they are erected or placed.

(1) The candidate or other person requesting placement of the sign and any property owner who has an interest in the subject property where signs are placed are separately liable for compliance.

d. Political signs shall not be located in, project into or overhang any public right-of-way or be attached to any utility pole.

e. Political signs shall be constructed of durable materials and erected in a manner so as to avoid collapse from inadvertent contact, wind or weather.

(1) Construction materials and erection shall occur so that no dangerous surfaces result, including but not limited to protruding nails or sharp edges.

f. Political signs shall be placed so as to avoid obstructing the view of vehicular and pedestrian traffic areas and shall be located not less than twenty-five (25) feet, measured perpendicular, from any public right-of-way, private street, driveway, parking lot or sidewalk.

309 Portable Sign. A sign which is not fastened to a building or structure or permanently to the ground.

310 Real Estate Sign. A sign which advertises the particular property upon which it is placed for sale, rent or lease.

311 Real Estate Development Sign. A freestanding grade-level sign informing when a subdivision or other real estate development will commence construction or when it will be available for sale, use or occupancy.

a. A real estate development sign may located on or off the premises proposed for development.

(1) A permit, valid for twelve (12) months shall be secured from the Clinton Township Building Department.

(2) Additional permits may be granted provided the development is active.

b. A real estate development sign shall inform the public of developments located in and approved by the Charter Township of Clinton.

c. A real estate development sign shall not be located in, project into or overhang any public right-of-way, driveway, sidewalk or bicycle path.

d. A real estate development shall be limited to one (1) on-site sign and two (2) off-site signs.

e. A real estate development sign shall be located only on property abutting a major or secondary thoroughfare having a right-of-way width of at least eighty-six (86) feet.

f. The location of a real estate development sign shall not impede vehicular or pedestrian traffic.

g. A real estate development sign shall not be fastened to a tree, utility pole, building or other structure and shall be securely fastened to the ground.

h. The maximum size of a real estate development sign shall be eighty (80) square feet in display area.

i. The maximum height of a real estate development sign shall be fifteen (15) feet.

j. Upon submittal of an application for permit for each real estate development sign, a cash deposit, in the amount of Five Hundred (\$500.00) Dollars shall be made with the Clinton Township Treasurer.

k. Failure to comply with any and all of above regulations or failure to completely remove the real estate development sign after the permit has expired shall result in forfeiture of the cash deposit.

312 Sign. The display of words, numerals, figures, devices, designs or trademarks to make known an individual, firm, profession, business, product or message and which is visible to the general public.

313 Special Event Sign. A sign which advertises a grand opening, special event or similar message.

a. A permit shall be secured from the Clinton Township Building Department.

(1) A permit for a special event sign shall be issued not more than two (2) times within any twelve (12) month period.

(2) A permit for a special event sign shall be issued for a period not to exceed seven (7) consecutive days.

b. A special event sign shall be located only on the premises of the property upon which the special is conducted.

(1) In a circumstance where more than one (1) parcel of land is involved, only one (1) special event sign shall be permitted.

c. A special event sign shall be located so as not to project into or overhang any public right-of-way, driveway or sidewalk.

d. The location of a special event sign shall not impede on-site or off-site vehicular or pedestrian traffic.

e. A special event sign shall not be permanently fastened to a building or structure and shall be securely fastened to the ground.

f. The maximum size of a special event sign shall be thirty-two (32) square feet in display area.

g. The maximum height of a special event sign shall be eight (8) feet.

h. Upon submittal of an application for a special event sign, a cash deposit, in the amount of Two Hundred (\$200.00) Dollars shall be made with the Clinton Township Treasurer.

i. A special event sign shall be removed from the premises conducting the special event not later than twenty-four (24) hours after expiration of the sign permit.

j. Failure to comply with any and all of above regulations or failure to completely remove the special event sign within twenty-four (24) hours after the permit has expired shall result in forfeiture of One Hundred (\$100.00) Dollars of the cash deposit.

k. Applicants who receive a permit for a special event sign, thereby give the unconditional right to the Charter Township of Clinton, as a condition for the privilege of receiving the permit, for the Charter Township of Clinton to remove any special event sign or any portion or part thereof which remains on the premises for more than twenty-four (24) hours after the permit has expired.

(1) Removal of a special event sign or any portion or part thereof by the Charter Township of Clinton after twenty-four (24) hours after the permit has expired shall result in forfeiture of the Two Hundred (\$200.00) Dollars cash deposit.

314 Subdivision Entranceway Sign. A sign depicting the name of a residential, office/service, commercial or industrial subdivision and which sign is located at the entrance to such subdivision.

a. The maximum size of a subdivision entranceway sign shall be seventy-five (75) square feet in display area.

b. The maximum height of a subdivision entranceway sign shall be five (5) feet, except if located in a required yard.

(1) The maximum height of a subdivision entranceway sign located within a required yard shall be three (3) feet.

c. A subdivision entranceway sign shall not be located within the triangular area formed by the intersection of any two public rights-of-way lines and the line between such public rights-of-way lines at points twenty-five (25) feet distant from the point of their intersection.

d. A subdivision entranceway sign located within a public right-of-way shall comply with regulations established by the Macomb County Road Commission, the State of Michigan Department of Highways and Transportation or the United States Department of Transportation.

315 Vehicle Business Sign. A vehicle upon which a sign is painted or attached and is parked upon the premises for the intent of advertising.

316 Window Sign. A light-weight sign constructed of material such as cardboard, cloth, paper, plastic, metal or wood.

a. Window signs shall be limited in area to 50% of the total surface of the window.

b. Window signs shall be located and contained wholly within a building so as to be visible from outside the building.

SECTION 400 - CHART

The following Chart specifies those districts in which the designated signs are permitted. All conditions previously cited herein are applicable.

Type of Sign	Special Purpose Districts	Residential Districts	Office Districts	Business Districts	Technical Research District	Light Industrial Districts	General Industrial Districts
Announcement	yes	yes	yes	yes	yes	yes	yes
Billboard	no	no	no	no	no	no	yes
Business	no	yes	yes	yes	yes	yes	yes
Directional	yes	yes	yes	yes	yes	yes	yes
Festoon	no	no	no	no	no	no	no
Flashing/Moving	no	no	no	no	no	no	no
Identification	yes	yes	yes	yes	yes	yes	yes
Political	yes	yes	yes	yes	yes	yes	yes
Portable	no	no	no	no	no	no	no
Real Estate	yes	yes	yes	yes	yes	yes	yes
Real Estate Development	yes	yes	yes	yes	yes	yes	yes
Special Event	yes	yes	yes	yes	yes	yes	yes
Subdivision Entranceway	yes	no	no	yes	yes	yes	no
Vehicle Business	no	no	no	no	no	no	no
Window	yes	yes	yes	yes	yes	yes	yes

yes=permitted
no=not permitted

SECTION 500 - GENERAL CONDITIONS

501 All signs, except non-electric directional, identification, real estate and window signs, shall require a permit issued by the Clinton Township Building Department

502 External illumination of signs shall be directed so as not to cause visual interference to persons driving on adjacent thoroughfares or to adjacent property occupants.

503 Signs shall not be located in, project into or overhang any public right-of-way or be attached to any utility pole.

504 Signs which are located in, project into or overhang a public easement or a public right-of-way or attached to a utility pole in violation of this Ordinance shall be removed by the Charter of Clinton without notice.

1. Before any sign which has been removed by the Charter Township of Clinton is returned to the owner, a fee in amount of Fifty (\$50.00) Dollars shall be paid to the Clinton Township Treasurer for removal and storage of the sign.

2. Any sign which has been removed by the Charter Township of Clinton shall be deemed abandoned and shall be disposed of if the owner does not claim the sign within thirty (30) days from the date of removal.

505 Streamers, wind-blown devices, spinners, pennants and balloons are prohibited.

SECTION 600 - PRE-EXISTING SIGNS

601 Pre-existing signs which are not in compliance with the provisions of this ordinance, and have not received a variance,

Shall not be changed to another type of sign which is not in compliance with this ordinance.

Shall not be structurally altered so as to prolong the life of the sign or so as to change the shape, size, type or design of the sign.

Shall not have its face of faces changed by more than 33% (one time only) unless the sign is brought into compliance with the requirements of this ordinance.

Shall not be re-established after damage or destruction if the estimated expense of reconstruction exceeds 50% of the appraised replacement cost as determined by the Department of Building.

Shall not be re-established after the activity, business or usage to which it relates has been discontinued for a period ninety (90) days or longer.

SECTION 700--VARIANCES

701 Any party who has been refused a sign by the Township of Clinton because the proposed sign does not meet the provisions of this ordinance, may request a variance of the provisions from the Clinton Township Board of Appeals.

A variance from the provisions of the Sign Ordinance shall only be granted if the Board of Appeals finds that each of the following is true.

1. The particular physical surroundings, shape or topographical conditions of the property would render compliance with the provisions of this Ordinance difficult and would likely result in a particular hardship on the owner, as distinguished from inconvenience of the Ordinance requirements or a desire to increase financial gain or avoid the financial expense of compliance.
2. Strict enforcement of the provisions of this Ordinance would serve no useful purpose.
3. The type of sign structure and the location proposed would not pose a significant risk to the public health, safety and welfare.
4. The benefit to the general public and/or applicant under the circumstances outweighs any risk to traffic safety and the Township's desire to eliminate the accumulation of visual clutter in accordance with the stated purpose of this Ordinance.

SECTION 800 - PENALTY

801 Any person, firm or corporation, public or private, or anyone acting on behalf thereof, who has any ownership interest in any sign placed contrary to the provisions of this act, places or contributes to the placement of any sign, contrary to the provision of this act, or who owns property upon which a sign has been illegally placed shall be deemed guilty of a misdemeanor subject to fine not to exceed Five Hundred (\$500.00) Dollars or to imprisonment in the Macomb County Jail not to exceed ninety (90) days or both, at the discretion of the court. Where a property owner does not own the sign and has not placed or contributed to the placement of a sign contrary to the provisions of this act, prior to the commencement of any prosecution, the property owner shall be provided written notice and a period of thirty (30) days within which to remove any illegal sign.

SECTION 900 - REPEAL

901 Any part of any ordinance, in effect on the effective date of this Ordinance, which may be in conflict with any part of this Ordinance, is hereby repealed.

SECTION 1000 - SEVERABILITY

1001 This Ordinance and each section, sub-section, paragraph, sub-paragraph, part, provision, sentence, word and portion thereof are hereby declared to be severable.

1002 If any section, sub-section, paragraph, sub-paragraph, part, provision, sentence, word and/or portion of this Ordinance is adjudged, by a court of competent jurisdiction, to be invalid or unenforceable for any reason whatsoever, it is hereby provided that the remainder of this Ordinance shall thereby not be affected.

SECTION 1100 - EFFECTIVE DATE

1100 This Ordinance shall take effect thirty (30) days after publication hereof.
